

Remarks

By this Amendment, claims 1, 2, 6, 9, 10, and 14 are amended and new claims 15-18 are added to the application. After entry of this Amendment, claims 1-18 are pending in the present application. Reconsideration in the view of the amendments and the following remarks is requested.

I. Allowable Subject Matter

Claims 2-4, 6, 10-12 and 14 were objected to as being dependent upon a rejected base claims, but would be allowable if rewritten in independent form. Claims 2, 6, 10 and 14 are now presented as independent claims incorporating the limitations of these claims as previously presented and should now be allowed. Claims 3 and 4 depend from claim 2 and claims 11 and 12 depend from claim 10. Thus, these claims also should be allowed.

II. Rejection of Claims 1, 5, 7-9 and 13

Claims 1, 5, 7-9 and 13 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 3,649,054 to McClenan (McClenan). Applicants traverse this rejection and request that it be withdrawn.

Claims 1, 5, 7 and 8:

Claim 1 is directed to an assembly for stiffening a flexible member. The assembly comprises a stiffening member extending over a portion of the flexible member, an adapter secured to the stiffening member and extending over another portion of the flexible member in a spaced relation thereto to form an annulus, and an insert disposed in the annulus. Claim 1 has been amended to specify that the insert prevents the adapter from contacting said another portion of the flexible member, wherein the insert is fabricated from a material to eliminate wear of said another portion of the flexible member.

McClenan discloses a cable fitting for a ship bulkhead comprising a housing 10 having a projection 12. A compression gland 24 disposed between the projection 12 and the cable is placed in compression by a nut 26 tightened onto the projection 12. See FIG. 4. Assuming for purposes of discussion that housing 10 is a stiffening member, the nut 26 is an adapter, and the compression gland 24 is an insert, McClenan does not meet the limitations of claim 1 because the gland 24 does not prevent the inner surface 31 of nut 26 from contacting the surface of cable.

As the cable is flexed, the surface of the cable would rub against the inner surface 31 of nut 26, which is what the instantly claimed device is designed to prevent.

Accordingly, claim 1 is not anticipated by McClenan and should be allowed.

Claims 5, 7 and 8 depend from claim 1 and are allowable for the reasons given above in support of claim 1 and because each dependent claim sets forth an independently patentable combination of features.

Claim 7, for example, recites that the flexible member is a pipe. In contrast, McClenan discloses a fitting for an electrical cable, not a pipe. There is no teaching or suggestion in McClenan for stiffening a pipe, as in the instantly claimed invention.

Claims 9 and 13:

Claim 9 recites a method for stiffening a flexible member comprising surrounding a portion of the flexible member with a stiffening member, surrounding another portion of the flexible member with an adapter that extends in a spaced relation to the flexible member to form an annulus, securing the adapter to the stiffening member, and inserting an insert into the annulus. Claim 9 has been amended to further recite that the insert prevents the adapter from contacting said another portion of the flexible member and is fabricated from a material to eliminate wear of said another portion of the flexible portion.

Unlike claim 9, McClenan's insert 24 does not prevent the inner surface 31 of adapter 26 from contacting the surface of cable. As the cable is flexed, the outer surface of the cable can wear against the adjacent surface 31 of the adapter 26. Therefore, claim 9 is not anticipated by McClenan and should be allowed.

Claim 13 depends from claim 9 and is allowable for the reasons given above in support of claim 9 and because claim 13 sets forth an independently patentable combination of features.

III. Conclusion

The present application is in condition for allowance and such action is respectfully requested. If any further issues remain concerning this application, the Examiner is invited to call the undersigned to discuss such matters.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By



Jeffrey R. Haendler
Registration No. 43,652

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 595-5300
Facsimile: (503) 228-9446